

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

P US

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/600392

INTERNATIONAL APPLICATION NO.
PCT/US99/00371INTERNATIONAL FILING DATE
12 January 1999 (12.01.99)PRIORITY DATE CLAIMED
16 January 1998 (16.01.98)

TITLE OF INVENTION

AN AUTOREGULATORY SYSTEM FOR VALIDATING MICROBIAL GENES AS POSSIBLE ANTIMICROBIAL
TARGETS USING A TETRACYCLINE-CONTROLLABLE ELEMENT

APPLICANT(S) FOR DO/EO/US

Cheryl L. Quinn et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Communication Regarding Sequence Listing (1 pg.); Paper copy of Sequence Listing (15 pgs.); Sequence Listing in computer readable form; transmittal document (in triplicate); and itemized return receipt postcard.

"EXPRESS MAIL" MAILING LABEL NUMBER: E4518337622US

DATE OF DEPOSIT

14 July 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE"
SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO
THE ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231

PRINTED NAME

Anne M. Richards

SIGNATURE

Anne M. Richards

Page 1 of 2

PCTUS1/REV03

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) 09/6003	INTERNATIONAL APPLICATION NO. PCT/US99/00371	ATTORNEY'S DOCKET NUMBER 6137.P US
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21. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$840.00	
				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	77 - 20 =	57	x \$18.00	\$1,026.00	
Independent claims	6 - 3 =	3	x \$78.00	\$234.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$2,100.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>				\$0.00	
SUBTOTAL =				\$2,100.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$2,100.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$2,100.00	
				Amount to be: refunded	\$
				charged	\$

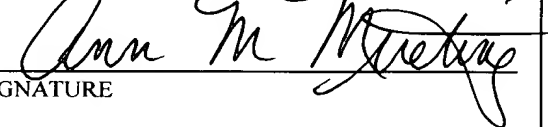
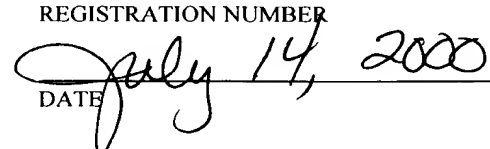
☒ A check in the amount of **\$2,100.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **13-4895** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Mueting, Raasch & Gebhardt, P.A. P.O. Box 581415 Minneapolis, Minnesota 55458-1415 United States of America ATTN: Ann M. Mueting	 SIGNATURE Ann M. Mueting NAME 33,977 REGISTRATION NUMBER  DATE
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Applicant(s): Cheryl L. Quinn et al.
Docket No.: 6137.P US
Titled: AN AUTOREGULATORY SYSTEM FOR VALIDATING MICROBIAL GENES AS POSSIBLE
ANTIMICROBIAL TARGETS USING A TETRACYCLINE-CONTROLLABLE ELEMENT

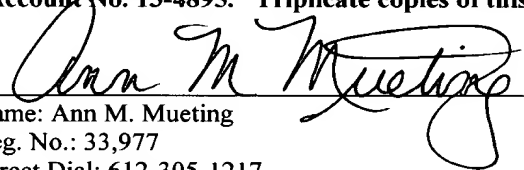
Assistant Commissioner for Patents
ATTN: Box PCT
Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in duplicate):

- ☐ Utility Patent Application: Specification (___ pgs); Claims (___ claims on ___ pgs); 1 pg Abstract.
☐ Verified statement establishing small entity status of this application under 37 C.F.R. §§1.9 and 1.27 is enclosed (1 pg.)
☐ Design Patent Application: ___ pgs.
☐ ___ Sheet(s) of formal /informal drawing(s).
☐ Declaration and Power of Attorney document.
☒ A return postcard.
☐ An Assignment of the invention to _____ and Recordation Form Cover Sheet.
☐ A certified copy of a ___ application, Serial No. ___, filed ___, 19___, the right of priority of which is claimed under 35 U.S.C. Section 119.
☒ Paper copy of Sequence Listing (15 pgs.); Sequence Listing in computer readable form; Communication Regarding Sequence Listing (1 pg.).
☒ Other: Transmittal Letter to the DO/EO/US (2 pgs.); a copy of the International Search Report and documents attached thereto; a copy of the International Preliminary Examination Report.
☒ A check in the amount of \$2,100 to cover the filing fee.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet is enclosed.

MUETING, RAASCH & GEBHARDT, P.A.
P.O. Box 581415, Minneapolis, MN 55458 (612-305-1220)

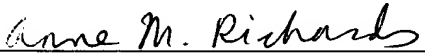
By: 
Name: Ann M. Mueeting
Reg. No.: 33,977
Direct Dial: 612-305-1217
Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL518337622US

Date of Deposit: July 14 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

By: 
Name: Anne M. Richards

(TRANSMITTAL UNDER RULE 1.10)